



Signed: January 31, 2011

EDWARD D. JELLEN
U.S. Bankruptcy Judge

PATRICK L. FORTE, #80050
CORRINE BIELEJESKI, #244599
LAW OFFICES OF PATRICK L. FORTE
One Kaiser Plaza, #480
Oakland, CA 94612
Telephone: (510) 465-3328
Facsimile: (510) 763-8354
Attorneys for Debtor

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:

Case No. 10-71694 EDJ

KENNETH CALVIN MCBEE,
Debtor.

Chapter 13

ORDER VALUING LIEN OF JP
MORGAN CHASE, NA

On January 4, 2011, Kenneth McBee (hereinafter Debtor) served a motion to value the lien of JP Morgan Chase Bank, NA ("Chase") (hereinafter Lienholder) against the property commonly known as 45 Baldwin Avenue, Crockett, CA 94525, which lien was recorded in Contra Costa County on or about December 27, 2007 as document 034733200 (hereinafter the Lien).

The court finds that notice of the motion upon Lienholder was proper. Lienholder having failed to file timely opposition to Debtor's motion, the court hereby orders as follows:

(1) For purposes of Debtor's chapter 13 plan only, the Lien is valued at zero, Lienholder does not have a secured claim, and the Lien

1 may not be enforced, pursuant to 11 U.S.C. §§ 506, 1322 (b) (2) and
2 1327.

3 (2) This order shall become part of Debtor's confirmed chapter 13
4 plan.

5 (3) Upon entry of a discharge in Debtor's chapter 13 case, the
6 Lien shall be voided for all purposes, and upon application by Debtor,
7 the court will enter an appropriate form of judgment voiding the Lien.

8 (4) If Debtor's chapter 13 case is dismissed or converted to one
9 under another chapter before Debtors obtain a discharge, this order
10 shall cease to be effective and the Lien shall be retained to the
11 extent recognized by applicable nonbankruptcy law, and upon
12 application by the Lienholder, the court will enter an appropriate
13 form of order restoring the Lien.

14 (5) Except as provided by separate, subsequent order of this
15 court, the Lien may not be enforced so long as this order remains in
16 effect.

17 *** END OF ORDER ***
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COURT SERVICE LIST

Law Offices of Patrick L. Forte
One Kaiser Plaza, Suite 480
Oakland, CA 94612

Kenneth McBee
45 Baldwin Avenue
Crockett, CA 94525

Attn: Officer
JP Morgan Chase Bank
1111 Polaris Pkwy
Columbus, Ohio 43240

Attn: Officer
JP Morgan Chase Bank
c/o CT Corporation Service
818 West Seventh Street
Los Angeles, CA 90017

Attn: Officer
Wells Fargo Bank, NA
101 N. Phillips Ave.
Sioux Falls, South Dakota 57104

Wachovia Bank, NA
c/o Pite Duncan LLP
Attn: Erin L. Laney
4375 Jutland Drive, Ste. 200
P.O. Box 17933
San Diego, CA 92177-0933

Ascension Capital Group, Inc.
Attn: JP Morgan Chase Bank, NA Department
Account: xxxxxxxxxxxx4775
P.O. Box 201347
Arlington, TX 76006

Attn: Officer
Wachovia Mortgage Corp.
301 S. College Street
Charlotte, NC 28288

Attn: Officer
Wachovia Mortgage Corp.
c/o CSC Lawyers Incorporating Service
2730 Gateway Oaks Dr. Ste. 100
Sacramento, CA 95833

1 Union Bank, NA
C/o Byron B. Mauss, Esq.
2 Assayag Mauss
2915 Redhill Avenue, Suite 200
3 Costa Mesa, CA 92626
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